



NEWS Release

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Florida Supreme Court rule change will prevent Clerk from automatically protecting confidential information in court documents

TAVARES — Beginning July 1, the Florida Supreme Court is changing how clerks of court process confidential information that is filed in some court cases.

Florida Rule of General Practice and Judicial Administration 2.420 is being amended to prevent clerks of court from automatically redacting confidential information found within Circuit Civil, County Civil, or Small Claims cases. The only exceptions to the amendment are cases of Involuntary Civil Commitment of Sexually Violent Predators (Jimmy Ryce Act), civil cases dealing with sexual assault, and medical malpractice cases.

“I regret that my office can no longer proactively safeguard confidential information in most civil cases, even if no notice of confidential information is filed,” said Gary Cooney, Clerk & Comptroller. “To do so would be contrary to the Court’s order.”

To conform to the Court’s order, anyone who files Circuit Civil, County Civil, and Small Claims documents (with the exceptions noted above) will have their documents available to the public immediately upon docketing **unless the filer:**

- Files a notice of confidential information, as stated in Rule 2.420(d)(2),
- Files a motion to determine confidentiality, as stated in Rule 2.420(d)(3), or
- Files in a case that has been determined by the court to be confidential.

In many instances, the rule makes entire documents confidential, but in most cases, confidential information is in the form of individual pieces found within a document. Any notice of confidential information must state:

- The information or document to be kept confidential,
- The applicable paragraph from the Rule which makes the information or document confidential, and
- The precise location(s) by document, page, and line.

“When we are working with pro se (non-attorney) filers who are trying to navigate the judicial system on their own, they may mistakenly file documents that include personal information, such as social security numbers and bank account numbers,” added Cooney. “Unfortunately, my office will no longer be able to provide the extra layer of protection upon which the public has been able to rely.”

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